

Summary of Proposal to Amend Rule 5.72 of Title 5, Division 1, Chapter 1 of the Local Rules

Judgments Involving Child Custody, Child Support, or Spousal Support

The proposal to amend rule 5.72, entitled ***Judgments involving child custody, child support, or spousal support***, of the court's Local Rules ("Rules") is part of the court's continuing effort to review, correct, and update its rules as needed.

SUMMARY

The Family Committee proposed amendments to this rule to clarify for parties which Judicial Council forms are mandatory in connection with judgments and to encourage the use of non-mandatory Judicial Council forms in connection with family law judgments as well. The Rules and Forms Committee reviewed and approved the proposed amendments to the rule.

Rule 5.72. Judgments involving child custody, child support, or spousal support

~~A~~ Judgments ~~involving~~ ~~for~~ child custody, child support, or spousal support must set forth all ~~of its~~ terms in full ~~including those terms required by law~~. Judgments ~~involving~~ ~~for~~ child or spousal support must include the commencement and termination dates.

Use of the *Child Support Information and Order Attachment* (form FL-342) is mandatory.

A calculation of guideline child support must be attached to form FL-342 unless the form FL-342 sets out the inputs used in making the guideline calculation. Use of the *Non-Guideline Child Support Findings Attachment* (form FL-342(A)) is mandatory where the judgment will include child support that deviates from the guideline calculation under Family Code § 4050, et seq.

The Court encourages use of other applicable Judicial Council Family Law forms in proposed judgments.

Rule 5.72 *amended effective January 1, 2016; adopted effective July 1, 2010.*